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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,295	02/16/2001	Stephan W. Gehring	FANT-P019	1506
44279	7590	04/22/2005	EXAMINER	
PULSE-LINK, INC. 1969 KELLOGG AVENUE CARLSBAD, CA 92008			SON, LINH L D	
			ART UNIT	PAPER NUMBER
			2135	

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/788,295	GEHRING, STEPHAN W.	
	Examiner	Art Unit	
	Linh Son	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02/19/2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on October, 25th 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This action is responding to the amendment received on 10/25/2004.
2. No claim has been amended. Claims 1-23 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-2, 4-6, 8-9, 11-12, 14-16, and 18-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Ross, Jr. (US/5812671).
5. As per claim 5-6 and 8, Ross, Jr. discloses the "Cryptographic Communication System" invention, which includes a method for forwarding messages in a multi-node network comprising decrypting/encrypting using asymmetric algorithm (Col 1 lines 38), by a forwarding node, each message received by said forwarding node prior to determining a destination for said received message (Col 3 lines 8-23).
6. As per claims 1-2, 4, 9, and 18, Ross, Jr. discloses the "Cryptographic Communication System" invention, which includes a method for encrypting and decrypting messages in a multi-node network, comprising: (a) encrypting a message by a source node and transmitting said encrypted message to a forwarding node; (b)

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receiving and unconditionally decrypting said encrypted message by said forwarding node; (c) unconditionally re-encrypting said decrypted message by said forwarding node and transmitting said re-encrypted message to a destination node; and (d) receiving and decrypting said re-encrypted message by said destination node.

7. As per claims 11 and 12, Ross, Jr. disclose the method of claim 10, wherein: (a) said encrypting said message by said source node is carried out using a first key (Col 2 lines 54-65); (b) said decrypting said re-encrypted message by said destination node is carried out using said first key (Col 3 lines 8-23); (c) said unconditional decrypting of said transmitted message by said forwarding node is carried out using a second key (Col 3 lines 8-23); and (d) said unconditional re-encrypting of said decrypted message by said forwarding node is carried out using said second key (Col 3 lines 8-23).

8. As per claims 14-16, Ross, Jr. discloses the method of claim 9, wherein said encrypting said message by said source node (Col 2 lines 54-65), said unconditional decrypting of said transmitted message by said forwarding node (Col 3 lines 3-23), said unconditional re-encrypting of said decrypted message by said forwarding node, and said decrypting of said re-encrypted message by said destination node (Col 3 lines 3-23), are carried out using asymmetric encryption and decryption (Col 1 lines 38).

9. As per claims 19, Ross, Jr. discloses an encryption and decryption system for a multiple node network, comprising at least one forwarding node, said forwarding node

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including means for unconditionally decrypting all received messages, and means for unconditionally encrypting all transmitted messages (Col 2 line 33 to Col 3 line 44).

10. As per claims 20, Ross, Jr. discloses the encryption and decryption system of claim 19, further comprising at least one source node, said source node including means for encrypting messages and transmitting said encrypted messages to said forwarding node (Col 2 line 33 to Col 3 line 44).

11. As per claims 21, Ross, Jr. discloses the encryption and decryption system of claim 20, further comprising at least one destination node, said destination node including means for decrypting messages transmitted by said forwarding node (Col 2 line 33 to Col 3 line 44).

12. As per claims 22, Ross, Jr. discloses the encryption and decryption system of claim 21, wherein said means for encrypting messages by said source node, said means for decrypting messages in said destination node, said means for unconditionally decrypting messages by said forwarding node, and said means for unconditionally encrypting messages by said forwarding node comprises symmetrical encryption and decryption (Col 2 line 33 to Col 3 line 44).

13. As per claims 23, Ross, Jr. discloses the encryption and decryption system of claim 21, wherein said means for encrypting messages by said source node, said

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means for decrypting messages in said destination node, said means for unconditionally decrypting messages by said forwarding node, and said means for unconditionally encrypting messages by said forwarding node comprises asymmetrical encryption and decryption (Col 2 line 33 to Col 3 line 44).

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 3, 7, 10, 13, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ross, Jr.

16. As per claims 3, 7, 10, 13, and 17, Ross, Jr. discloses the method of claims 2, 6, 9, 11, and 15, wherein said encrypting said message by said source node, said unconditional decrypting of said transmitted message by said forwarding node, said unconditional re-encrypting of said decrypted message by said forwarding node, and said decrypting of said re-encrypted message by said destination node (Col 2 line 33 to Col 3 line 44), are carried out using asymmetrical encryption and decryption. However, Ross, Jr. does not specifically teach the use of symmetrical encryption/decryption algorithm. Nevertheless, Ross, Jr. does mention the implementation of the same encryption/decryption key for both parties in the invention to securely transmit

messages in a communication network (Col 1 lines 20-35). Therefore, it is obvious at the time of the invention was made for one of ordinary skill in the art to implement the symmetrical algorithm to securely sending message in the communication network.

Response to Amendment

17. Applicant's remark on page 9 3rd paragraph states that Ross (US/5812671) teaches "a cryptographic communication system that requires messages to be sent to a network secure communications gateway, which stores that current encryption/decryption algorithm and keys for parties registered with the network secure communications gateway (Col. 1, lines 60-64) ...". This remark is true. In order to decrypting a message, a node must have knowledge of the method of encryption, which includes a decrypting key and the algorithm involved. This method must be pre-registered in the decrypting node in some way. In Ross' reference, the registration provides the decrypting/encrypting information to the node. In the specification on page 5-8, the applicant also states the method of encrypting/decrypting carryout by the node, which includes a pre-registered encrypting/decrypting key (Emphasis added).

18. Regarding to the remark on page 9 4-5th paragraphs, the claim language, "any node in a multi-node system can decrypt a received message", is not stated in the claim 5 or any other independent claims. Ross' reference does teach multi-node network

(See Figure 1). The forwarding node is the gateway node inside the multi-node network. Therefore, the rejection dated on 08/09/2004 of claim 1-23 is maintained.

Conclusion

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

20. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

21. Any inquiry concerning this communication from the examiner should be directed to Linh Son whose telephone number is (571)-271-3856.

22. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Kim Y. Vu can be reached at (571)-272-3859. The fax numbers for this

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group are (703)-872-9306 (official fax). Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (571)-272-2100.

23. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PMR only. For more information about the PAIR system, see <http://paz-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Linh LD Son

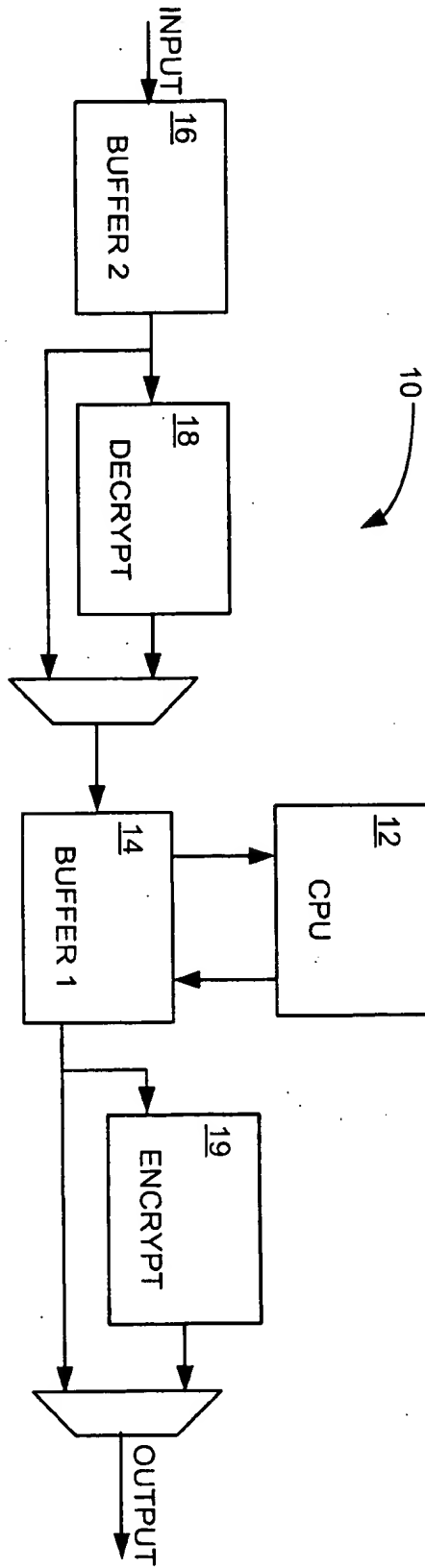
Patent Examiner



KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100



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PRIOR ART

FIG. 1

Approved
3/5/05
DB

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